

DECLARATION AND POWER OF ATTORNEY

Our File: 0375.3-1-1

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SPECTRALLY ENCODED MINIATURE ENDOSCOPIC IMAGING PROBE**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of my foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing	Priority Claimed Under 35 U.S.C. §119
			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

POWER OF ATTORNEY: Jason A. Bernstein, Reg. No. 31,236, and John W. Greenwald, Reg. No. 41,803, are hereby appointed to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to: Jason A. Bernstein
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Atlanta, Georgia 30328-1649

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Full name of sole or first inventor:	Guillermo J. Tearney	Citizenship:	USA
Residence:	118 Kinnaird St. #3, Cambridge, MA 02139		
Post Office Address:	118 Kinnaird St. #3, Cambridge, MA 02139		
Inventor's signature:			Date:

Full name of second inventor:	Brett Eugene Bouma	Citizenship:	USA
Residence:	12 Monmouth Street, Quincy, MA 02171		
Post Office Address:	12 Monmouth Street, Quincy, MA 02171		
Inventor's signature:			Date:

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Full name of third inventor:	M. Stefanov Shishkov	Citizenship:	Bulgaria
Residence:	122 Bowdoin St., Apt. 82, Boston, MA 02108		
Post Office Address:	122 Bowdoin St., Apt. 82, Boston, MA 02108		
Inventor's signature:			

Full name of fourth inventor:	Jonathan Jay Rosen	Citizenship:	USA
Residence:	12 Surrey Road, Newton, MA 02458		
Post Office Address:	12 Surrey Road, Newton, MA 02458		
Inventor's signature:			

DEPOSED - SERIALIZED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR §§ 1.9(F) AND 1.27(d) — NONPROFIT ORGANIZATION)

Inventor(s): Guillermo J. Tearney et al.

Serial No.: Not yet assigned

For: SPECTRALLY ENCODED MINIATURE IMAGING PROBE

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: The General Hospital Corporation

Address of Organization: 55 Fruit Street, Boston, Massachusetts 02114

TYPE OF ORGANIZATION: UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR §1.9(e) for purposes of paying reduced fees under §§41(a) and (b) of Title 35 United States Code with regard to the invention entitled SPECTRALLY ENCODED MINIATURE IMAGING PROBE by Guillermo J. Tearney and Brett E. Bouma described in the specification filed herewith.

I hereby declare that rights under contract or law have been conveyed to and remain with the organization with regard to the above identified invention.

If the rights held by the profit organization are not exclusive, each individual concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR §1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR §1.9(d) or a nonprofit organization under 37 CFR §1.9(e).

**Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR §1.27)*

NAME _____

ADDRESS _____

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I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: David J. Glass, Ph.D.

TITLE IN ORGANIZATION: Associate Director for Patents, Office of Technology Affairs

ADDRESS OF PERSON SIGNING: 55 Fruit Street, Boston, Massachusetts 02114

SIGNATURE

DATE

Attorney Docket No.: 0375.3-1-1P
MGH 1665

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SERIALIZED FILED
JULY 25 2000
U.S. PATENT AND TRADEMARK OFFICE